

ADDEPNDANT A

United States District Court  
Northern District of California

Case No. **4:20-cv-05640-YGR**

Case Title ***Epic Games, Inc. v. Apple, Inc.***

Exhibit No. **DX-5326**

Date Entered \_\_\_\_\_

Susan Y. Soong, Clerk

By: \_\_\_\_\_, Deputy Clerk

Let's talk about our  
business model...

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## Why we're here

Assess current situation

Take a step back and see the larger picture

Discuss big ideas and implications

**goal: Agree on how we want to shape the future**


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The daily Android / Play vocabulary...

Cloudgaming Epic  
Instantapps Discovery  
Billing Tencent Kids  
Samsung Subscription  
Gameengines Premiumgames Stadia  
Ads HUG xPA CPI  
**Revshare**  
Regulations Huawei Instantgames  
Policy Unity Crossplatform  
Security Chat Emulators Discord  
RSA esports  
Malware  
Dumbledore

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<p>Our teams have brought us at least one proposal for each item and seek decisions</p>	<p>HOWEVER</p>	<p>All of these problems are linked one way or the other and there will be long term impact based on what we decide</p>  <p>same</p> <p><small>Proprietary + Confidential</small></p>
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Let's take a step back...

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## The 50,000 foot view:



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## How that works in contracts + incentives today

### STEP 1: GET GOOGLE PLAY AND SEARCH ON LOTS OF ANDROID DEVICES

#### MADA

[Google ↔ OEM]

Trade access to  
Google's apps for  
placement and  
security



**BARTER**

#### RSA

[Google ↔ OEM / Carrier]

Further protect  
Google Search  
distribution /  
incentivize devices



**SEARCH REV-SHARE**

#### DCB

[Google ↔ Carrier]

Align carriers  
around Play and  
incentivize more  
transactions



**PLAY REV-SHARE  
(AS TXN FEE)**

### STEP 2: GET LOTS OF APPS

#### DDA

[Google ↔ Developer]

Incentivize  
developers to  
distribute content  
on Play



**PLAY REV-SHARE**

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Partner incentives today are focused on search...

**SEARCH**



2018 Android  
Revenue



2018 Rev Share  
Payments



*PAID TO BOTH OEMS AND CARRIERS  
BUYS US SEARCH ACCESS POINTS AND  
INCREMENTAL PROTECTIONS*

**PLAY**



2018 Play  
Revenue



2018 DCB  
Payments



*PAID TO ONLY CARRIERS  
BUYS US A FOP; NO INCREMENTAL PROTECTIONS  
FOR SEARCH OR PLAY*

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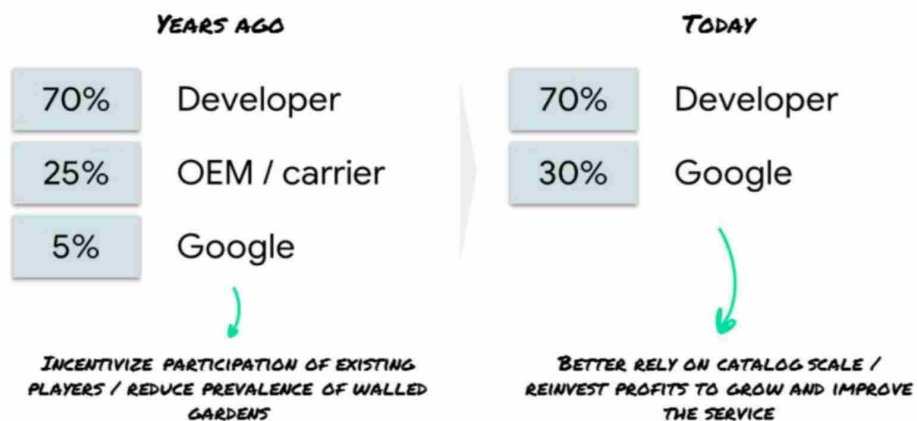
... despite Play being larger in some markets

Key Regions:	<a href="#">Search by Region</a>	Y/Y	Mix%	Mix Y/Y	Play by Region	Y/Y	Mix%	Mix Y/Y	Dec18/2020A	Y/Y	Mix%	Mix Y/Y

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That core Play model has evolved in the past



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So why are we talking about this again now?

# Redacted - Privilege

Android / app-store  
consolidation

Single OEMs (e.g. Samsung) or groups of  
OEMS (e.g. Aptoid on XOY) are building  
significant distribution scale

Game developer  
consolidation

Single developers consolidating a large  
number of highly monetizing titles,  
increasing risk of going-it-alone

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We have projects thinking about all of these...

# Redacted - Privilege

Android / app-store  
consolidation

Single OEMs (e.g. Samsung) or groups of  
OEMS (e.g. Aptoid on XOVI) are building  
significant distribution scale



**Google-Forward**  
(Incentivize OEMs to prioritize  
Play)

Game developer  
consolidation

Single developers consolidating a large  
number of highly monetizing titles,  
increasing risk of going-it-alone



**Hug**  
(Incentivize devs to prioritize  
play)

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... all in different stages



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[REDACTED], which makes us think...

1

SHOULD WE BE DOING ALL OF THEM? IS IT A QUESTION OF PHASING? PUT OUR BIGGEST BET BEHIND ONE OR TWO?

2

IS THERE SOME BROADER SOLVE THAT WE HAVEN'T THOUGHT ABOUT?

3

WHAT DO WE START DOING NOW TO BUILD NEW REVENUE MODELS?

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## There's other revenue available in gaming...

Development	Distribution	Engagement
<ul style="list-style-type: none"><li>● IDE/Game Engines/Kits (Unity, Epic, etc.)</li><li>● Prototyping services</li><li>● Pre-release funding</li><li>● Beta communities, QA, Monetization testing</li><li>● Etc.</li></ul>	<ul style="list-style-type: none"><li>● Form-factor extension / emulation</li><li>● Streaming</li></ul>	<ul style="list-style-type: none"><li>● Social (Discord, etc.)</li><li>● LiveOps services</li><li>● Esports assets</li><li>● Etc.</li></ul>

As we do any of these, there's a decision to make: is this a way of further defending the 30% rate, or a new way of making money?

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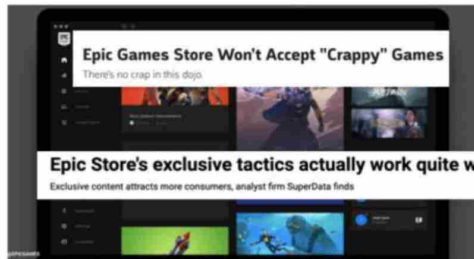
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## Appendix - Some Trends

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## Exclusive Content, Bundling and Quality



scarcity →

Galaxy Store: Everything Your Galaxy Device Needs,  
Together in One Place



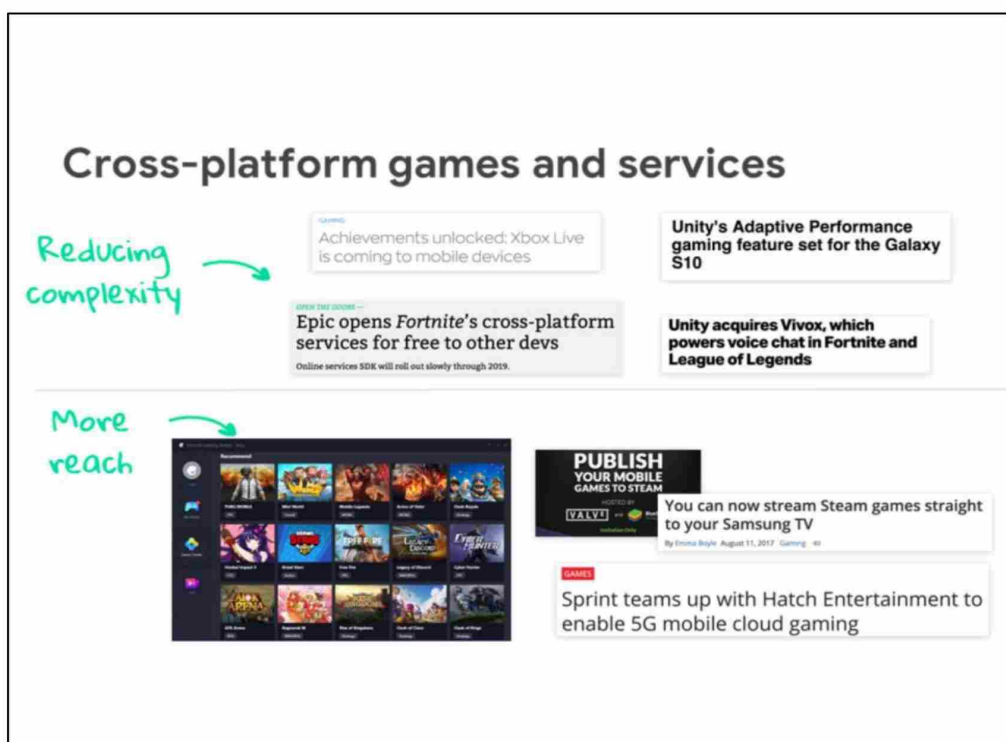
← More  
games / \$

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## New Gaming Platforms Launching



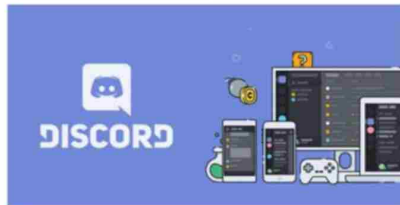
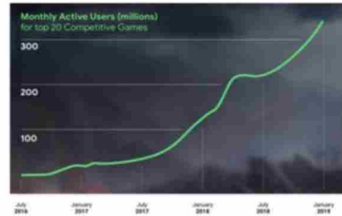
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Services that help games run across mobile, PC and console.  
Emulation/streaming represent different distribution methods towards bringing mobile games to PCs

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## Building Audiences and Excitement (elsewhere)



### Chat Startup Discord Tops \$2 Billion Valuation

The company plans to spend \$150 million to move into new areas, including selling videogames online

More competitive games are coming to Android - not pay to win, strategy is around building audiences through esports competitions. Discovery outside the ecosystem.

Social remains important - it's still hard to find someone to play with, and it's all about the communities a game forms around them (and less about individual friends)

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## Device Fragmentation / OEM Complexity

### Epic Says Android is Too Inconsistent to Develop For Compared to iOS

+3,767     

*"... problem is the tweaks that OEMs make to the internals of Android. For example... [Samsung S8 vs. Pixel 2]... both devices have around 4GB of RAM, but 1.2GB less of it was usable on the Pixel 2!"*



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# BD Predictions in 2020

*What will be the 3 most common asks from  
partners in 2020?*

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## More AAA Devs / IPs Coming to Mobile



**CALL OF DUTY**



*How can Play help AAA devs become successful on Android/Play?*

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## Players Can Play Anywhere



as a result...

- Players will likely use unique sign-ons
- Other platform choices will emerge (emulators?)
- More options to pay to enhance gaming experiences?

*How will Play support developers with platform agnostic games?*

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## “Older” Live Games Continue to Grow

### Grand Theft Auto Online's Casino sets new player count highs

Biggest job to the game since its 2013 launch, says Rockstar

By [Michael O'Connell](#) | Aug 1, 2019, 11:00 AM EDT

### GAMING

### 'CLASH OF CLANS' 7TH ANNIVERSARY ADDS BIRTHDAY SURPRISE & PARTY WIZARD

By [Christopher Grady](#) | Aug 1, 2019, 11:00 AM EDT

### GAMES

### Fortnite's mecha-monster battle was its most impressive and cinematic live event yet

Where's the Fortnite movie already?

By [New York Times](#) | [@nytimes](#) | Jul 29, 2019, 7:00 PM EDT

### PC GAMING

### Rainbow Six: Siege is still Ubisoft's live-service darling

By [New York Times](#) | [@nytimes](#) | Jul 29, 2019, 7:00 PM EDT

### GAMES

### Activision Blizzard snacks on another strong quarter of Candy Crush growth

By [Jason Wilson](#) | [@jasonwilson](#) | May 2, 2019 1:08 PM

### GAMES

### Star Wars: Galaxy of Heroes reaches 80 million players since 2015 debut

By [Mike Minotti](#) | [@mikeminotti](#) | July 30, 2019 1:44 PM

*Can Play deliver similar value for “older” live games as it does for new games?*

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How big is Google Play's  
**Gaming business**  
today?

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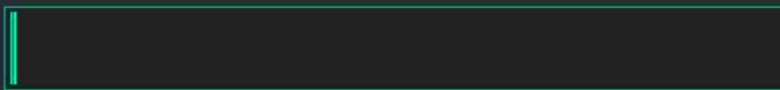


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## Opportunity?



Only 1 in 3 Play users spent >5 mins playing games last month



<2% of Play users spent \$ on games in last 28 days

( !!! )

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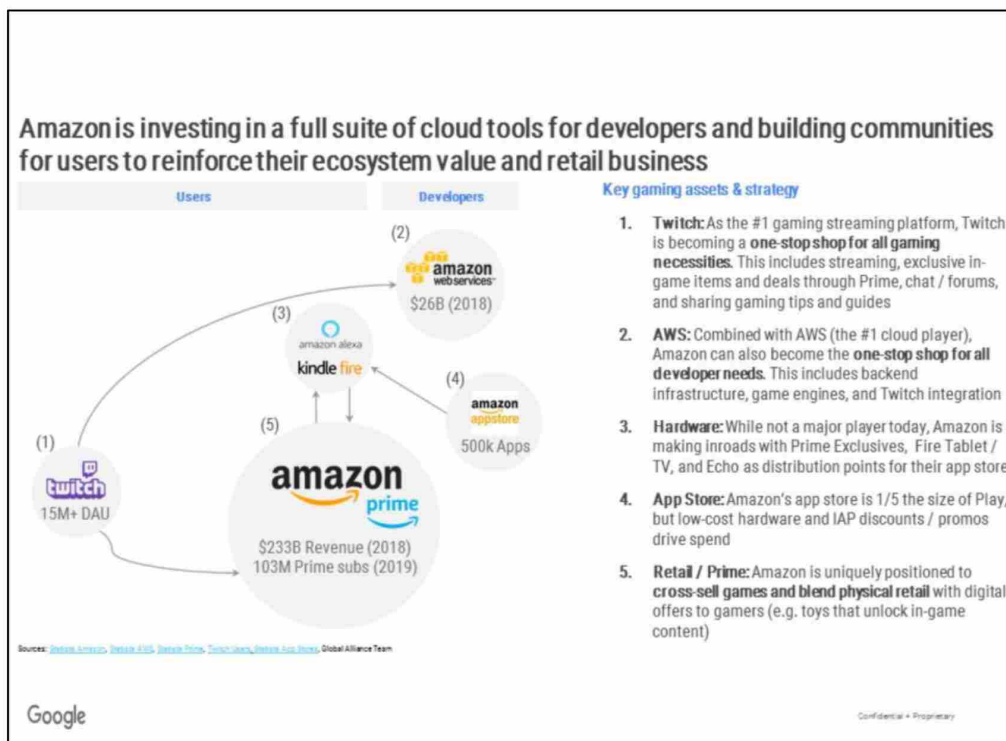
# Ecosystem Players

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Many ecosystem players are investing in gaming assets and capabilities not just to win in gaming, but also to use gaming to grow their core business....what about us?



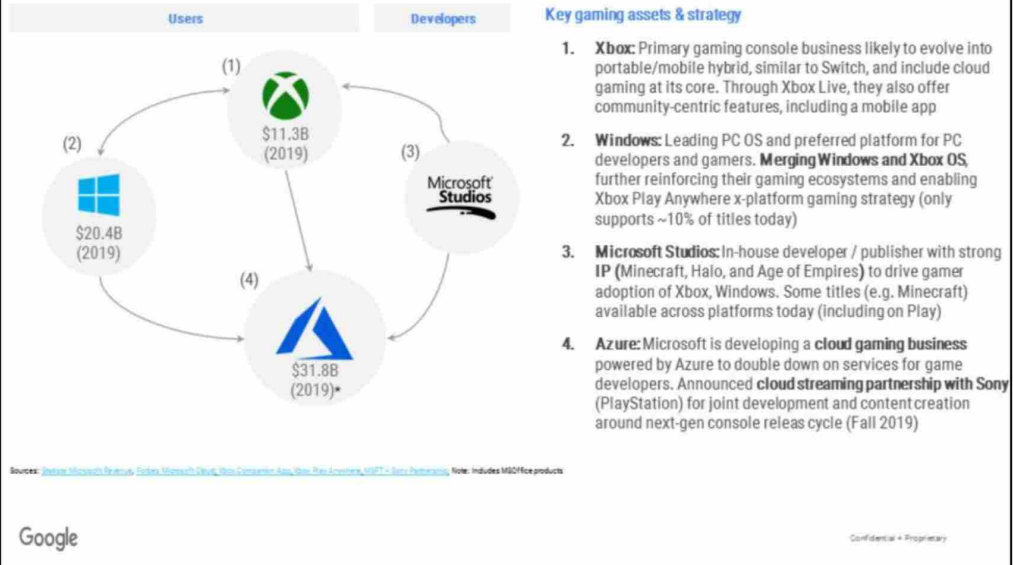
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Amazon - Services oriented, developer stack. Twitch harnesses game communities. (why? Because core biz is AWS/retail)

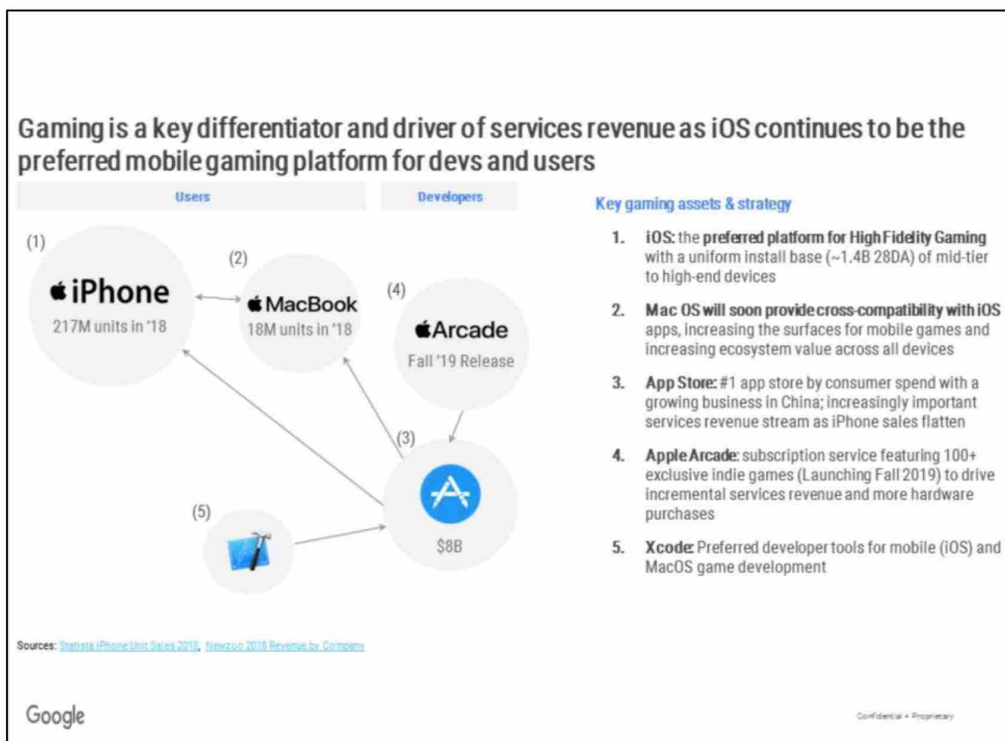
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## Microsoft's expertise in PC and console gaming combined with Azure generating a shift towards cloud gaming in Fall 2019



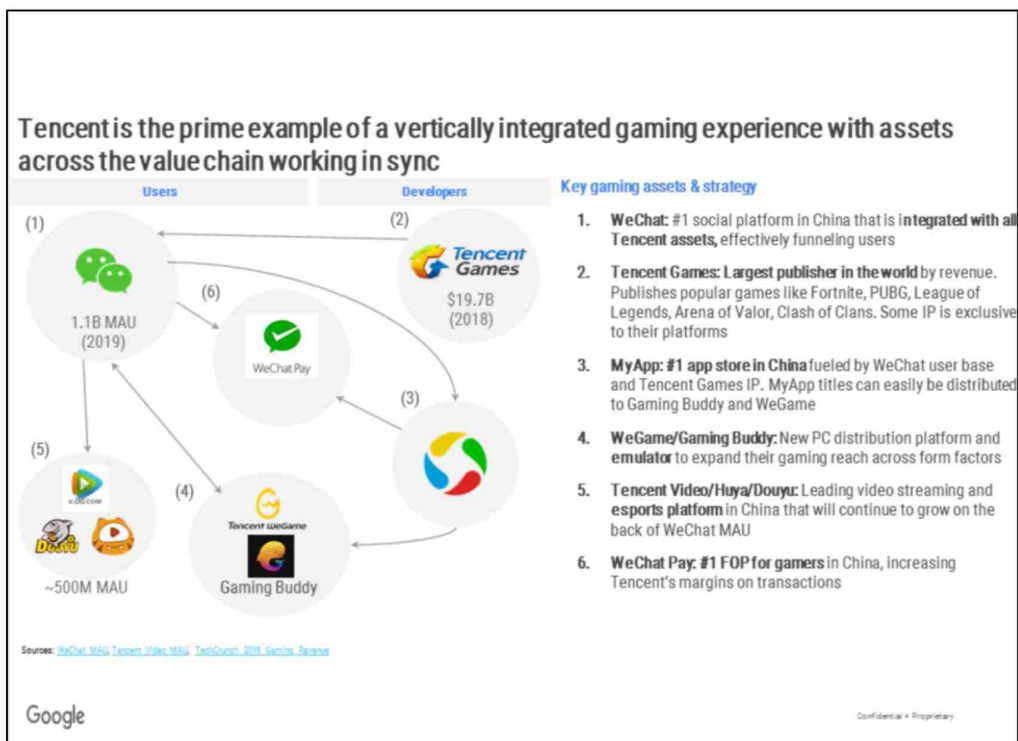
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Apple - will be for games, what they are for music. All apple devices are effectively game oriented phones. (why? Because core biz is HW. Camera focus will be less of a differentiator, games will be their future diff)

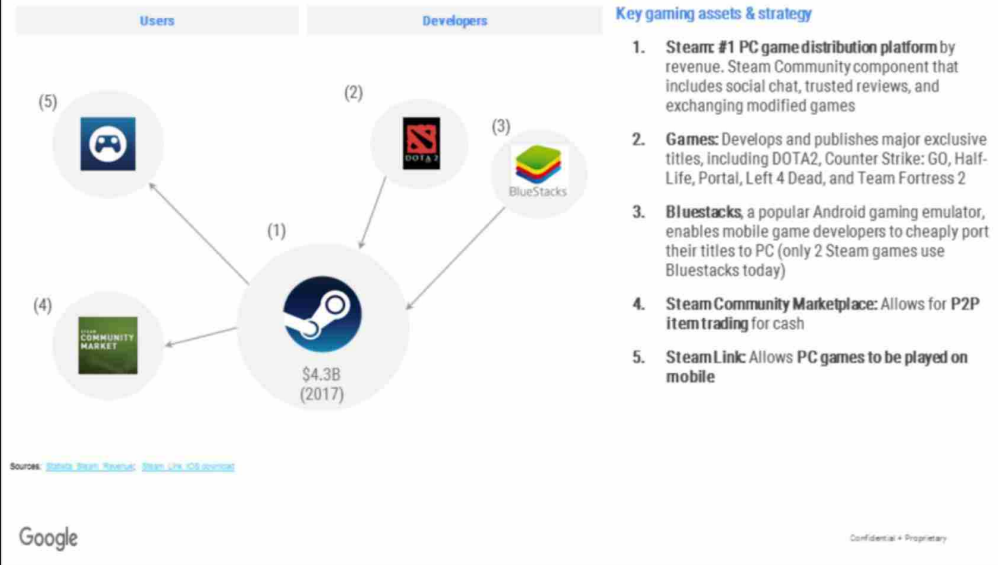
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Tencent as examples (core biz is VC - owns all the top game developers, owns stake in social products (WeChat), and “owns” China... bring together pieces through investment)

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Valve's success in PC distribution comes from their focus on creating the best gamer lifecycle experience, through sticky communities and invaluable IPs



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Google already has many desirable gaming ecosystem assets, however today they are fragmented

		Google	Amazon	Microsoft	Apple	Tencent	Valve	Others
Upstream	Dev Tools							
	Publishers							
	Distribution							
Gamer Lifecycle Engagement	Hardware							
	Discovery							
	Choice							
	Immerse							
	Payment							
	Reward	Play Points						
	Events	VSPN Ptn.						

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